

REMARKS

No new matter is added by this amendment. The present application is a continuation application of U.S. Patent Application Serial No. 08/949,213 filed October 10, 1997. In a preliminary amendment, claims 2-96 were cancelled and new claims 97-119 were added. In a prior amendment, claim 1 was cancelled and claim 118 was amended. The claims remaining in consideration are claims 117 and 118. Reconsideration is respectfully requested.

Claims 117 and 118 were rejected under 35 USC §102(b) as being anticipated by US Patent 3,147,617 issued September 8, 1964 to Vincent Kaptur et al (Kaptur). Alternatively, claims 117 and 118 were rejected under 35 USC §103(a) as being obvious over Kaptur. These rejections are respectfully traversed.

The present invention as embodied in independent claim 117 sets forth a design template which includes a torso and an outer contour on the torso. The outer contour conforms to the “deformed shape of an interface contour between *a seat* and *a seated occupant*” (emphasis added).

In the illustrated embodiment of the specification, the design template 10 is used to design a seat. The aim of using the design template is to design the seat such that a human body occupant is “resiliently and comfortably” supported by the seat (see page 15, lines 15-19). Further, the design template 10 may be constructed using any suitable media, such as electronic media, e.g., a CAD model, paper, wood, plastic, or the like (see page 20, lines 15-20). During the seat design process, the interface between the design template 10 and the seat is used to represent where and how various portions of the design template and the person represented by the template, are supported or not supported by the seat. The interface is used to show how the seat would deform or modify the outer contour of the person represented by the template *and* how the person represented by the template would deform or modify the seat (see page 20, lines 9-12).

In an illustrated embodiment (starting on page 42, line 9) the design template is embodied in a CAD or computer model, the deformed outer contour of the design template is determined by forming “load supporting contours and unloaded contours of the seat 12 for” the design template (see page 42, line 9 to page 52, line 12).

Kaptur discloses an accommodation checking device. The Kaptur device includes a lower leg member 38, a seat pan 66, and a back pan 108 (See Figs. 1 and 2). The lower leg member 38 includes a pair of leg members 42. A cross-sectional shape of a shoe 26 lies between the leg members 42. The seat pan 66 has a lower outer surface 68 which is “shaped to conform to the lower surface of the upper leg portions or thighs and buttocks of the predetermined human male”. The back pan 108 has a rear outer surface 110 “which is shaped *to conform to the contour of the outer surface of the back*” (column 3, lines 33-37).

Kaptur neither teaches nor suggests that outer contour of the back pan 108 is deformed to represent the interface between the seat and a seated occupant.

Since Kaptur does not include, or suggest, all of the elements of the claimed invention, applicants respectfully assert that the §102(b) and the §103(a) rejections of independent claim 117 over Kaptur are improper and respectively request that they be withdrawn.

Claims 117 and 118 were also rejected under 35 USC §102(b) as being anticipated by SU 508-711 (“AUTO”). Alternatively, claims 117 and 118 were rejected under 35 USC §103(a) as being obvious over AUTO. These rejections are respectfully traversed.

AUTO disclose a three dimensional sitting “dummy” which is used to measure internal the internal dimensions of cars “to determine directly the possible points of impact of parts of the human body with the motor car parts and the paths of motion of the human body elements when displaced from the sheet.” The AUTO device includes a back pan 2. However, AUTO neither teaches nor suggests that the outer contour of the back pan represents the “deformed shape of an interface contour between *a seat* and *a seated occupant*” (emphasis added), as required by independent claim 117.

The Examiner’s rejection of independent claim 117 over AUTO consists, almost entirely, of a recitation of the elements of independent claim 117. The Examiner does refer to Figure 6 of AUTO, however, applicants respectfully submits that, at most, Figure 6 shows the back of a seat conforming to the back pan 2.

Since AUTO does not include, or suggest, all of the elements of the claimed invention, applicants respectfully assert that the §102(b) and the §103(a) rejections of independent claim 117 over AUTO are improper and respectively request that they be withdrawn.

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Claim 118 is dependent upon independent, allowable claim 117. Thus, for the reasons set forth above, and based on their own merits, applicants respectfully assert that claim 118 is also allowable.

All of the Examiner's rejections having been successfully traversed, applicants respectfully assert that the present application is now in condition for allowance. An early Notice of Allowance is solicited.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'James R. Yee', is written over a horizontal line.

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